

## CERTIFICATE OF MAILING (37 CFR 1.8)

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I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, **TECH CENTER 1500/2800**, Washington, DC 20231.

Julie K. Lyons, Legal Assistant

Name of Person Mailing Paper

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Unit : 1624  
 Examiner : B. Coleman  
 Applicant(s) : Toni-Jo Poel, et al.  
 Serial Number : 09/138,209  
 Filed : August 24, 1998  
 For : Phenyloxazolidinones Having a C-C Bond to 4-8 Membered Heterocyclic Rings

Commissioner of Patents and Trademarks  
Washington, DC 20231

## TRANSMITTAL OF A RESPONSE TO A NON-FINAL ACTION (37 CFR 1.111)

Sir:

Transmitted herewith is a supplemental reply/amendment in the above-captioned application in response to the Examiner's action dated April 4, 2000.

- ☒ The reply and/or amendment is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.
- ☐ An additional fee in the amount of \$ is required for the amended claims presented and has been calculated as shown in the attached sheet.

Please charge Deposit Account No. **21-0718** in the amount of the additional fee above, or such greater or lesser amount of excess fees for claims as the Commissioner determines is required by law. Triplicate copies of this sheet are enclosed.

**EXTENSION OF TIME.** In the event this paper is not filed prior to the time set for response, applicant(s) hereby petition for an extension of the period for filing the attached reply and/or amendment to the date of filing this paper, and hereby authorize the Commissioner to charge the extension fee as may be required by 37 CFR 1.17, to Deposit Account No. **21-0718**. If for any

reason the extension requested above is insufficient to extend this period to the date of this paper, applicant(s) hereby petition for the revival of the above-captioned application as having been unintentionally abandoned and authorize the Commissioner to charge the required fees under 37 CFR 1.17 to Deposit Account No. 21-0718.

Respectfully submitted,

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Lucy X. Yang, Attorney  
Registration No. 40,259

Date: 11-8-2000

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Enclosures:

Supplemental Response/Amendment  
Amendment/Petition to Add Inventors  
Declaration  
Assent of Assignee

#12/B  
11/20/00  
C. Styer

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## SUPPLEMENTAL RESPONSE AND AMENDMENTS

Sir:

Further to applicants' response dated October 3, 2000, applicants respectfully submit the following supplemental amendments and remarks.

Please add new claims 16-20.

16. A compound of claim 1 wherein

B1  
R<sub>1</sub> is

- a) C<sub>1-6</sub> alkyl, optionally substituted with more than one OH, CN, or fluoro, or one or more chloro, bromo, or iodo,  
b) -(CH<sub>2</sub>)<sub>h</sub>-aryl,  
c) -COR<sub>1-1</sub>,  
d) -COOR<sub>1-2</sub>, or  
e) -CO-(CH<sub>2</sub>)<sub>h</sub>-COR<sub>1-1</sub>;

R<sub>1-1</sub> is C<sub>1-6</sub> alkyl substituted with one or more OH;

R<sub>1-2</sub> is

- a) -(CH<sub>2</sub>)<sub>h</sub>-aryl, or  
b) -(CH<sub>2</sub>)<sub>h</sub>-OR<sub>1-3</sub>;

R<sub>1-3</sub> is